

कार्यालय : मुख्य निर्वाचन अधिकारी, उत्तराखण्ड
4 - सुभाष रोड़, सचिवालय परिसर, देहरादून - 248001

फोन नं० (0135) - 2712055, 2713551

फैक्स नं० (0135) - 2712014, 2713724

संख्या 487 / 25-XXV-1(1-1) / 2007

देहरादून : दिनांक 14 नवम्बर, 2008

सेवा में,

समस्त जिलाधिकारी/
जिला निर्वाचन अधिकारी,
उत्तराखण्ड।

विषय:- निर्वाचनों के दौरान Short Message Servies (SMS) के प्रयोग के संबंध में
आयोग के दिशा-निर्देशों का प्रेषण।


महोदय/महोदया,

उपरोक्त विषयक निर्वाचनों के दौरान Short Message Servies (SMS) के प्रयोग से संबंधित भारत निर्वाचन आयोग के पत्र संख्या 464/INST/2008/EPS दिनांक 05 नवम्बर, 2008 की प्रति संलग्न करते हुए मुझे यह कहने का निदेश हुआ है कि आयोग के निर्देशों का भली-भाँति अध्ययन करते हुए उक्त से समस्त रिटर्निंग/सहायक रिटर्निंग आफिसरों आदि को अवगत कराते हुए तदनुसार आयोग के निर्देशों का यथासमय कड़ाई से अनुपालन सुनिश्चित करने का कष्ट करें।

कृपया प्राप्ति स्वीकार करने का कष्ट करें।

संलग्न-यथोपरि।


भवदीया,


(राधा रतूड़ी)
सचिव एवं

मुख्य निर्वाचन अधिकारी

पृ० संख्या / 25-XXV-1(1-1) / 2007, तददिनांकित।

प्रतिलिपि पुलिस महानिदेशक, उत्तराखण्ड, देहरादून को आयोग के पत्र संख्या 464/INST/2008/EPS दिनांक 05 नवम्बर, 2008 पत्र की प्रति सहित सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।


(राधा रतूड़ी)
सचिव एवं

मुख्य निर्वाचन अधिकारी

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.464/INST/2008/EPS

Dated:- 5th November, 2008

To,

The Chief Electoral Officers of
All States/Union Territories.

Subject: Prohibition of misuse of Short Message Services (SMSs) - regarding.

Sir,

I am directed to state that it has been brought to the notice of the Commission that certain objectionable messages on Short Message Services (SMSs) are transmitted by some persons to vested interests in the elections, violating the provisions of election law, model code of conduct and the Commission's directions/instructions issued in this behalf. By the aforesaid acts, the atmosphere for free, fair and peaceful elections process may get vitiated.

2. The Commission has considered the matter and has decided to issue the following

H.C.
directions:-

- (i) For objectionable SMSs, which are violating the provision of election law, model code of conduct and the Commission's directions/instructions issued in this behalf, the Police authorities should advertise special mobile numbers on which the receiver of such SMS can forward the said SMS (alongwith the number of the sender of objectionable SMS). The Police Authorities should initiate appropriate inquiry and trace back the original sender of such SMS and take appropriate action under the relevant provisions of the Indian Penal Code, Representation of the People Act, 1951, the Conduct of Election Rules, 1961, instructions/directions issued thereunder by the Commission and any other law applicable in the case.

- (ii) Bulk SMS (es) transmitted during the campaign period as an alternative electioneering, as and when noticed by Returning Officer or District Election Officer will be brought to the notice of Chief Electoral Officer, who in turn,

S.O. (Election)

11.11.08

will find out the cost involved from the Service Provided and apportion it to the candidate or candidates concerned as the case may be.

- (iii) There shall be prohibition of transmitting bulk SMSs of political nature during the period of 48 hours ending with the hours fixed for conclusion of poll.

3. This shall be brought to the notice of all concerned immediately including Mobile Service Providers in the State and given wide publicity. A copy of this letter shall also be handed over to all Observers through the District Election Officers.

4. The receipt of this letter may please be acknowledged with the confirmation that the relevant instructions have been issued to all the concerned officers. A copy of instructions/directions so issued in this behalf may also be endorsed the Commission for its information and record.

Yours faithfully,


(SHANGARA RAM)
PRINCIPAL SECRETARY